

EXHIBIT 5

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION

4 No. 5:16-cv-10444
IN RE: FLINT WATER CASES Hon. Judith E. Levy
5 Mag. Mona K. Majzoub

HIGHLY CONFIDENTIAL

VIDEOTAPED DEPOSITION OF JOSEPH NASUTA

10
11 Thursday, December 5, 2019
 at 9:03 a.m.

14 Taken at: Weitz & Luxenberg PC
3011 West Grand Boulevard, Suite 2100
15 Detroit, Michigan 48202

21 REPORTED BY: CAROL A. KIRK, RMR/CSR-9139
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1 where we've lost money, and we've done, quote --
2 I've heard we've done postmortem on those as
3 well.

4 Q. Right.

5 A. So it's also some we've won.

6 Q. But you didn't do it on the Flint
7 job where the task was to identify problems with
8 water quality and help the city figure out how
9 to fix them as soon as possible?

10 MR. MCELVAINE: Objection.

11 You can answer.

12 A. I'm not aware of any postmortem.
13 Is that your question?

14 Q. Yeah.

15 A. I'm not aware of a postmortem
16 being done.

17 Q. No sort of postmortem, no sort of
18 looking back and saying, "Is there anything we
19 could have done differently to make sure all
20 these people didn't get sick?"

21 MR. MCELVAINE: Objection.

22 You can answer.

23 A. I'm not aware of whether that
24 happened or didn't happen.

1 Q. Are you aware of anything where
2 Veolia went back and said, "Is there anything we
3 could have done differently to make sure that
4 the water going through these pipes wasn't so
5 corrosive that it was making the pipes break
6 down?"

7 MR. MCELVAINE: Objection.

8 You can answer.

9 A. I'm not sure your premise is
10 correct. But, again, I don't know of a
11 postmortem that was -- at least a formal
12 postmortem that was done. There may have
13 been -- some people may have had conversations.
14 I don't know.

15 Q. And nothing generally to look back
16 and say, "Is there anything we could have done
17 differently to make sure Flint's water quality
18 improved sooner"?

19 A. The only thing I remember --

20 MR. MCELVAINE: Objection.

21 THE WITNESS: I'm sorry.

22 MR. MCELVAINE: Objection.

23 A. The only thing I vaguely remember
24 hearing, someone said, "I wish Flint would have

1 CERTIFICATE

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I, Carol A. Kirk, a Registered Merit Reporter
3 and Notary Public in and for the State of Michigan, duly
commissioned and qualified, do hereby certify that the
4 within-named JOSEPH NASUTA was by me first duly sworn to
testify to the truth, the whole truth, and nothing but
5 the truth in the cause aforesaid; that the deposition
then given by him was by me reduced to stenotype in the
6 presence of said witness; that the foregoing is a true
and correct transcript of the deposition so given by
7 him; that the deposition was taken at the time and place
in the caption specified and was completed without
8 adjournment; and that I am in no way related to or
employed by any attorney or party hereto or financially
9 interested in the action; and I am not, nor is the court
reporting firm with which I am affiliated, under a
10 contract as defined in Civil Rule 28(D).

11

12 IN WITNESS WHEREOF, I have hereunto set my
hand and affixed my seal of office at Dexter, Michigan
13 on this 19th day of December 2019.

14

15

16

Carol A Kirk

CAROL A. KIRK, RMR, CSR-9139

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NOTARY PUBLIC - STATE OF MICHIGAN

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My Commission Expires: August 19, 2022.

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